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VIA ECF

The Honorable Sarah Netburn
U.S. District Court for the Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Aviles, et al. v. Hard Rock Cafe International (USA), Inc.*
Case No. 17-CV-9723

Dear Judge Netburn:

Pursuant to Your Honor's Order dated June 27, 2018 (Doc. No. 30), the parties respectfully submit this joint letter to provide the Court to address the parties' outstanding discovery disputes.

To date, Defendant Hard Rock Cafe International (USA), Inc. ("HRC") has only received interrogatory responses from named Plaintiffs Timothy Aviles, Bradley Durbin, and Stanla Lindor and a single document Bates stamped HRC Lindor 000131 in response to its written interrogatory and document requests dated June 8. HRC has not received corresponding verification pages for these interrogatory responses nor any written responses or documents in response to HRC's requests for the production of documents directed to Plaintiffs. In addition, HRC has not received any discovery responses from opt-in Plaintiffs Hakim Muhammad, Byron Meyer, and Joseph Sinclair. Pursuant to the Case Management Plan (Doc. No. 24), the deadline for Rule 23 pre-class certification discovery is October 1. It is HRC's position that these items should be produced immediately, especially considering that the parties are scheduled for a settlement conference with Your Honor on September 24.

Plaintiffs continue to review sampling and discover documents produced by HRC in preparation for the September 24, 2018 settlement conference. In addition to the Lindor documents noted above, Plaintiffs intend to produce additional documents for Plaintiffs Aviles, Durbin and opt-in plaintiff Muhammad either later today or by Monday. Plaintiffs are in the process of obtaining interrogatory and document responses from opt-in

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Plaintiffs Meyer and Sinclair. Verifications from all responding plaintiffs and opt-in plaintiffs will be produced in the coming weeks.

Respectfully submitted,

/s/ Lloyd Ambinder

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